

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

912 FIRST APPEAL NO. 819 OF 2012

DEVKABAI NIMBA PATIL (DEORE)
VERSUS
RAVINDRA KUMAR AGRAWAL AND ORS

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Advocate for Appellant : Patil Mahesh H.
Advocate for Respondent no.2:Mr. S.S. Chapalgaonkar,
Advocate h/f Mr. S P Chapalgaonkar
Respondent no.1 served through Paper Publication
Respondent no.3-deceased and Respondent no.4 served

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CORAM : P.R. BORA, J.
Dated: September 01, 2016

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PER COURT :-

Heard.

2. Learned counsel appearing for the appellant submitted that in the title clause of the judgment and order passed by this Court on 11th August, 2016, name of Advocate appearing for the appellant has been incorrectly mentioned as Mr. Mahesh S. Patil and it should be Mr. Mahesh H. Patil. Learned counsel further submitted that an inadvertent mistake has occurred in holding original claimant no.2 entitled to receive the compensation alongwith original claimant no.3 since original claimant no.2 is no more now and in the title clause of the first

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appeal, the said fact has been disclosed. Learned counsel further submitted that accordingly, in the order part also, 20% amount of the enhanced compensation is directed to be paid jointly to original claimant nos.2 and 3, however, in view of the fact that original claimant no.2 is no more, the said amount needs to be directed to be given exclusively to original claimant no.3. He has therefore prayed for correcting the judgment and order dated 11th August, 2016 accordingly.

3. In view of the submissions so made, the judgment and order passed by this Court on 11th August, 2016 be corrected as follows :-

i) Name of the Advocate appearing for the appellant shall be corrected as **Mr. Mahesh H. Patil.**

ii) Paragraph no.14 of the judgment, shall be corrected to the effect that the balance 20% amount is awarded to **original claimant no.3.**

iii) Clause (iii) of the Order part shall also be corrected to the effect that balance 20% amount be paid to **respondent no.4.**

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4. The order be corrected accordingly and fresh writ be issued.

5. Motion stands disposed of accordingly.

(P.R. BORA, J.)

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